

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

United States of America,
Plaintiff,

v.

Civil No. 00-204-PB

Raymond Barnes,
Defendant,

and

T-Mobile USA, Inc.,
Garnishee.

FINAL ORDER OF CONTINUING GARNISHMENT

On July 10, 2012, a Writ of Continuing Garnishment and Clerk's Notice were issued in the above-captioned action by this Court. The Garnishee was served with copies of the Application, Clerk's Notice and Writ of Continuing Garnishment on July 16, 2012. The Application, Clerk's Notice and Writ of Continuing Garnishment were sent to Defendant by certified mail on July 13, 2012; however, that mail was not claimed by Defendant. The documents were also sent to Defendant, regular U.S. mail, postage prepaid, at this last known address on July 31, 2012. That mail has not been returned to Plaintiff by the U.S. Postal Service as undeliverable.

As stated in Plaintiff's motion, Garnishee filed an Answer on July 23, 2012, stating to Plaintiff that at the time of service of the Writ, it had in its possession, custody or control, personal property, in the form of bi-weekly disposable earnings, belonging to and due defendant, Raymond Barnes. The Answer further stated that 25% of the Defendant's current disposable earnings are subject to two garnishments currently in effect.

Defendant failed to request a hearing within the time allowed under 28 U.S.C. § 3202(d). Therefore, it is

ORDERED that the Garnishee, T-Mobile USA, Inc., to pay to the United States any amount up to 25% of the Defendant's bi-weekly disposable earnings, beginning the first full pay period after current garnishments have terminated and disposable earnings become available, which are in their possession, custody or control or until further Order of this Court. Said payments shall be made payable to U.S. Department of Justice and mailed to U.S. Attorney's Office, 53 Pleasant Street, 4th Floor, Concord, NH 03301.

IT IS FURTHER ORDERED, that Defendant shall keep the United States Attorney's Office currently informed, in writing, of any change in his employment, place of residence, or telephone number. Defendant shall provide such information to the United States Attorney's Office at the address listed above.

SO ORDERED THIS 4th **DAY OF** October , 2012.

~~/s/ Paul Barbadoro~~
Paul J. Barbadoro
U.S. District Court Judge

cc: U.S. Attorney's Office
Raymond Barnes, pro se
T-Mobile USA, Inc.